



09-08-03

3761

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/057,198

Filing Date

10/26/2001

First Named Inventor

Peter M. LLOYD

Art Unit

3761

Examiner Name

Michael G. Mendoza

Attorney Docket Number

509032001600

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Response to Missing Parts/
Incomplete Application

☐

Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

After Allowance Communication
to Group

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please
Identify below):

Remarks

Return Postcard

RECEIVED

SEP 11 2003

TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual

ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303
Elaine C. Stracker, Ph.D., J.D. Telephone: (650)687-3905

Signature

Date

September 5, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: September 5, 2003

Typed or printed

Mark A. Yamaguma

Signature

Date

September 5, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No: ER 317681915 US

Date of Deposit: September 5, 2003

I hereby certify that the enclosed application, and any other documents referred to as enclosed herein are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


MARK YAMAGUMA

RECEIVED
SEP 11 2003

TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lloyd et al.

Examiner: Michael G. Mendoza

Serial No.: 10/057,198

Group Art Unit: 3761

Filing Date: 10/26/01

Date: September 5, 2003

For: METHOD AND DEVICE FOR DELIVERING A PHYSIOLOGICALLY ACTIVE COMPOUND

**RESPONSE TO OFFICIAL ACTION
RESTRICTION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated 8/12/03, Applicants provisionally elect an invention to be examined. This response is timely submitted within the shortened statutory period of 1 month and therefore no fee is required.

Remarks

Restriction Requirement Under 35 U.S.C. 121

The Examiner has required that the application be restricted to one of the following inventions under 35 USC § 121:

- I. Claims 1-47 and 80-83, drawn to a method, classified in class 128, subclass